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Attorneys for Defendants
FRITO-LAY NORTH AMERICA, INC. and
PEPSICO, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JESSE HOUGHTAILING,

Plaintiff,

v.

FRITO-LAY NORTH AMERICA, INC., and
PEPSICO, INC., AND DOES 1 TO 100,
inclusive,

Defendants.

CASE NO. 3:11-cv-05062-TEH

**STIPULATION AND REQUEST TO
CONTINUE JOINT CASE
MANAGEMENT CONFERENCE;
~~[PROPOSED]~~ ORDER GRANTING
CONTINUANCE**

Action Filed: August 24, 2011
Removal Filed: October 14, 2011
Trial Date: None Set

1 TO THIS HONORABLE COURT:

2 Plaintiff Jesse Houghtailing ("Plaintiff"), by and through his counsel, and
3 Defendants Frito-Lay North America, Inc. and Pepsico, Inc. ("Defendants"), by and through their
4 counsel respectfully request a continuance of the Joint Case Management Conference on the
5 following grounds:

6 1. Whereas the joint case management conference in this case is currently scheduled
7 for Monday, January 23, 2012 at 1:30 p.m. before the Court;

8 2. Whereas Plaintiff's counsel is currently ill and does not anticipate being well and
9 able to attend the Monday, January 23, 2012 case management conference;

10 3. Whereas Plaintiff and his counsel have another case before this Court, Jesse
11 Houghtailing v. Crown Equipment Corp., case number 3:11-cv-05040-TEH, and the case
12 management conference for that matter is currently scheduled for January 30, 2012 at 1:30 p.m.;
13 and

14 4. Whereas the parties stipulate to continue the currently scheduled case management
15 conference from January 23, 2012 to January 30, 2012.

16
17 IT IS SO STIPULATED.

18 Dated: January 18, 2012

DuCHARME & COHEN

19
20 By /s/ James A. Du Charme (SBN 61002)
JAMES A. DuCHARME

21
22 Attorneys for Plaintiff
JESSE HOUGHTAILING

23 Concurrence obtained per General Order 45
24
25
26
27
28

1 Dated: January 18, 2012

VILLARREAL HUTNER & TODD PC

2
3 By /s/ Julie Wong
4 TRACY S. TODD
5 JULIE WONG

6 Attorneys for Defendants
7 FRITO-LAY NORTH AMERICA, INC.
8 and PEPSICO, INC.

9 **ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:**

10 I attest that concurrence in the filing of this document by the signatory James A.
11 Du Charme, has been obtained, and that a record of the concurrence shall be maintained by
12 Villarreal Hutner & Todd PC.

13 I declare under penalty of perjury pursuant to the laws of the United States of
14 America that the foregoing is true and correct.

15 Executed at San Francisco, California this 18th day of January, 2012.

16
17 /s/ Julie Wong
18 JULIE WONG

~~[PROPOSED]~~ ORDER

Having considered the foregoing stipulation of the parties, the Court orders the case management conference in the instant matter, Houghtailing v. Frito-Lay North America, Inc., et al., case number 3:11-cv-05062-~~THE~~^{TEH}, continued to January 30, 2012, at 1:30 p.m. in Courtroom 12.

IT IS SO ORDERED.

Dated: January 18, 2012


HON. THELTON E. HENDERSON